

57 (i) a vision plan that a person enters into or renews on or after January 1, 2019; and
 58 (ii) an administrator providing third-party administration services or a provider
 59 network for a vision plan.

60 (b) This section does not apply to a self-insured vision plan that is regulated by federal
 61 law.

62 (3) A contract between a vision plan and a vision service provider to provide a covered
 63 service may not:

64 (a) except as provided in Subsection (4), require that a vision service provider provide
 65 a vision service to a covered individual at a fee set by, or a fee subject to the approval of, the
 66 vision plan unless the vision service is a covered service; or

67 (b) prohibit a vision service provider from offering or providing a vision service that is
 68 not a covered service to a covered individual at a fee determined by:

69 (i) the vision service provider; or

70 (ii) the vision service provider and the covered individual.

71 (4) (a) In accordance with Subsections (4)(b) and (c), a vision service provider may, in
 72 a contract with a vision plan, agree to participate in a discount program sponsored by the vision
 73 plan.

74 (b) A contract between a vision service provider and a vision plan to provide a covered
 75 service may not be contingent on whether the vision service provider agrees to participate in a
 76 discount program sponsored by the vision plan.

77 (c) Regardless of whether a vision service provider participates in a discount program
 78 sponsored by the vision plan, a vision plan shall offer equal treatment to a vision service
 79 provider under contract with the vision plan to provide a covered service, regarding:

80 (i) promotional treatment;

81 (ii) marketing benefits;

82 (iii) materials; and

83 (iv) contract terms for providing a covered service.

83a **H→ (5) Notwithstanding Subsection (4)(c), a vision plan may, when providing a typically-**
 83b **formatted list of vision service providers that accept the vision plan, identify whether a vision**
 83c **service provider participates in a discount program sponsored by the vision plan. ←H**